

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

|                             |   |                     |
|-----------------------------|---|---------------------|
| <b>In Re:</b>               | ) | 19-13688            |
|                             | ) |                     |
| <b>ALBERTA D. MACK-LEE,</b> | ) | <b>Chapter 13</b>   |
|                             | ) |                     |
| <b>Debtor(s).</b>           | ) | <b>Judge THORNE</b> |

**NOTICE OF MOTION**

**The following parties have been served via electronic mail:**

US Trustee: USTPRegion11.ES.EFT@usdoj.gov

Marilyn O. Marshall, Chapter 13 Trustee: courtdocs@chi13.com

**The following party(s) have been served via regular US mail:**

See attached service list.

Please take notice that I shall appear before the following named Bankruptcy Judge, or any other Judge presiding in his stead, at 219 S. Dearborn, Chicago, IL 60604, and present the attached **Motion to Allow Debtor to Incur Additional Debt and Shorten Notice**, at which time and place you may appear:

JUDGE: THORNE  
ROOM: 613  
DATE: October 16, 2019  
TIME: 9:30 a.m.

/s/Christine H. Clar  
Christine H. Clar, A.R.D.C. #6202332  
Attorney for the Debtor(s)

**PROOF OF SERVICE**

The undersigned does hereby certify that copies of this Notice and attachments were served to the above persons or entities, if service by mail was indicated above, by depositing same in the U.S. Mail at Wheeling, Illinois 60090, before 5:00 p.m. on October 8, 2019 with proper postage prepaid, unless a copy was provided electronically by the Bankruptcy Court.

/s/Christine H. Clar  
Christine H. Clar, A.R.D.C. #6202332  
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES, LLC  
790 Chaddick Drive  
Wheeling, IL 60090  
847/ 520-8100

**The following party(s) have been served via regular US mail:**

Alberta Mack-Lee  
7642 S. Marshfield  
Chicago, IL 60620

Discover Bank  
P.O. Box 3025  
New Albany, OH 43054-3025

Comcast  
P.O. Box 1931  
Burlingame, CA 94011

One Main  
P.O. box 3251  
Evansville, IN 47731-3251

Ingalls Hospital  
One Ingalls Drive  
Harvey, IL 60426

Premier Bankcard  
Jefferson Capital Systems  
P.O. Box 7999  
St. Cloud, MN 56302-9617

Montgomery Ward  
Creditors Bankruptcy Service  
P.O. Box 800849  
Dallas, TX 75380

Peoples Gas  
200 E. Randolph St.  
Chicago, IL 60601

Hyundai Capital America  
Kia Motors Finance  
P.O. Box 20825  
Fountain Valley, CA 92728

Hyundai Capital America  
Hyundai Motor Finance  
P.O. Box 20809  
Fountain Valley, CA 92728

Capital One Bank  
4515 N. Santa Fe Ave.  
Oklahoma City, OK 73118

Personal Finance Co.  
8211 Town Center Drive  
Nottingham, MD 21236

Quantum3 Group  
GPCC I/Comenity  
P.O. Box 788  
Kirkland, WA 98083

The Bank of Missouri  
P.o. Box 105555  
Atlanta, GA 30348

LVNV Funding  
Resurgent Capital Services  
P.O. box 10587  
Greenville, SC 29603-0587

Portfolio Recovery Assoc.  
c/o Value City/Old Navy  
P.O. Box 41067  
Norfolk, VA 23541

Citibank, NA  
701 E. 60<sup>th</sup> Street North  
Sioux Falls, SD 57117

TD Bank  
c/o Weinstein & Riley  
2001 Western Ave., Ste. 400  
Seattle, WA 98121

AmeriCash Loans  
P.O. Box 1728  
Des Plaines, IL 60017

MWRD Empl Credit Union  
100 E. Erie St.  
Chicago, IL 60611

Berman Infiniti of Merrillville  
1794 W. 81<sup>st</sup> Ave., (US Hwy 30)  
Merrillville, IN 46410

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|                             | ) |                     |
| <b>Debtor(s).</b>           | ) | <b>Judge THORNE</b> |

**MOTION TO ALLOW DEBTOR TO INCUR ADDITIONAL DEBT  
AND SHORTEN NOTICE**

NOW COMES the Debtor, by and through her attorneys, DAVID M. SIEGEL & ASSOCIATES, LLC, to present his Motion, and in support thereof states as follows:

1. Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
2. On May 13, 2019 the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, and the Chapter 13 plan was confirmed on August 7, 2019. Marilyn O. Marshall was appointed Trustee in this case.
3. The Debtor's Chapter 13 plan provides for payments of \$800.00.00 monthly for an initial plan term of 60 months, with payments to the General Unsecured Creditors of 100% of their allowed claims.
4. That at the time of filing Debtor owned and possessed a 2019 Kia Sportage subject to a loan with Kia Motors Finance Co. The monthly payment on the car loan was \$781.04, and was to be paid directly to the creditor.
5. A Motion to Modify the Automatic Stay is up in court on October 16, 2019 because the Debtor has not made any payments on the loan since the case was filed. She was under the mistaken belief that the car was going to be paid through the plan. Since Debtor is in default in excess of \$4,435.00, she cannot catch up, and save the auto.
6. Debtor desires to purchase a replacement vehicle (2016 Infiniti QX50) from Berman Infiniti of Merrillville. (See attached Exhibit A.)

7. That Debtor has the ability to pay for said vehicle as the monthly payment is lower than the amount of the monthly payment of the original car loan for the 2019 Kia, and is already in the budget.

7. No creditors shall be prejudiced by the granting of this motion.

WHEREFORE, the Debtor, ALBERTA D. MACK-LEE, prays that this Honorable Court grant the Motion to Allow Debtor to Incur Additional Debt and Shorten Notice.

Respectfully Submitted,

/s/Christine H. Clar  
Christine H. Clar, ARDC #6202332  
Attorney for Debtor(s)

DAVID M. SIEGEL & ASSOCIATES, LLC  
790 Chaddick Drive  
Wheeling, IL 60090  
847/ 520-8100  
davidsiegelbk@gmail.com

# EXHIBIT A



## Purchase Agreement

Kyle Garza  
Berman INFINITI of Merrillville  
1794 W. 81st Ave (US Hwy 30)  
Merrillville, IN 46410

| Buyer  | Co-Buyer | Vehicle   |
|--|----------|---|
| Alberta Mack-Lee<br>7642 S Marshfield Ave<br>Chicago, IL 60620 |          | 2016 INFINITI QX50 Deluxe<br>Touring<br>VIN: JN1BJ0RR0GM266406<br>Stock #: MP3956<br>Mileage: 25,949<br>Color: Malbec Black |

| Year | Make | Model | VIN | Engine | Mileage | Payoff |
|------|------|-------|-----|--------|---------|--------|
| 0    | 0    |       |     |        |         | \$0.00 |

| Term | APR    | 500.00 | 500.00 | 500.00 |
|------|--------|--------|--------|--------|
| 72   | 20.49% |        |        |        |

| Loan Term: | 72 Monthly |
|------------|------------|
| APR:       | 20.49%     |
| Payment:   | \$670      |

| Sales Price:      | \$25,225.00 |
|-------------------|-------------|
| Accessories:      | \$0.00      |
| Service Contract: | \$0.00      |
| GAP:              | \$0.00      |
| Government Fees:  | \$281.00    |
| Proc/Doc Fees:    | \$199.00    |
| Total Taxes       | \$2,415.28  |
| Total Sales Price | \$28,120.28 |
| Trade Allowance:  | \$0.00      |
| Trade Payoff:     | \$0.00      |
| Trade Equity:     | \$0.00      |
| Rebate:           | \$0.00      |
| Cash Down:        | \$500.00    |
| Amount Financed   | \$27,620.28 |

Amount Financed \$ 27,620.28

x Alberta Mack-Lee  
Customer Signature

x \_\_\_\_\_  
Manager Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Disclaimer:

Printed 10/7/19 11:29 AM

Important Notice: The above terms are not binding upon either the customer or the dealership, until and unless final contracts are executed by all parties.